

Fill in this information to identify your case:

United States Bankruptcy Court for the:

EASTERN DISTRICT OF VIRGINIA

Case number (if known)

Chapter

11

☐ Check if this an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

04/20

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name **Porcier-Miller LLC (VA SCC # S5786860)**

2. All other names debtor used in the last 8 years

Include any assumed names, trade names and *doing business as* names

3. Debtor's federal Employer Identification Number (EIN) **47-5088134**

4. Debtor's address

Principal place of business

Mailing address, if different from principal place of business

**1881 North Nash St #505
Arlington, VA 22209**

Number, Street, City, State & ZIP Code

Arlington

County

P.O. Box, Number, Street, City, State & ZIP Code

Location of principal assets, if different from principal place of business

8746 Brook Rd Mc Lean, VA 22102

Number, Street, City, State & ZIP Code

5. Debtor's website (URL)

6. Type of debtor

☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))

☐ Partnership (excluding LLP)

☐ Other. Specify:

Debtor **Porcier-Miller LLC (VA SCC # S5786860)**
Name

Case number (if known)

7. Describe debtor's business**A. Check one:**

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
- ☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- ☐ Railroad (as defined in 11 U.S.C. § 101(44))
- ☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
- ☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
- ☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
- ☒ None of the above

B. Check all that apply

- ☐ Tax-exempt entity (as described in 26 U.S.C. §501)
- ☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. §80a-3)
- ☐ Investment advisor (as defined in 15 U.S.C. §80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.
See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

8. Under which chapter of the Bankruptcy Code is the debtor filing?**Check one:**

- ☐ Chapter 7
- ☐ Chapter 9

☒ Chapter 11. **Check all that apply:**

A debtor who is a "small business debtor" must check the first sub-box. A debtor as defined in § 1182(1) who elects to proceed under subchapter V of chapter 11 (whether or not the debtor is a "small business debtor") must check the second sub-box.

- ☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D), and its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,725,625. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ The debtor is a debtor as defined in 11 U.S.C. § 1182(1), its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$7,500,000, **and it chooses to proceed under Subchapter V of Chapter 11.** If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return, or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ A plan is being filed with this petition.
- ☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- ☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
- ☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12**9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?**☒ No.☐ Yes.

If more than 2 cases, attach a separate list.

District	_____	When	_____	Case number	_____
District	_____	When	_____	Case number	_____

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?☒ No☐ Yes.

List all cases. If more than 1, attach a separate list

Debtor	_____	Relationship	_____
District	_____	When	_____
		Case number, if known	_____

Debtor **Porcier-Miller LLC (VA SCC # S5786860)**
Name

Case number (if known)

11. Why is the case filed in this district?

Check all that apply:

- ☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?☒ No☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.**Why does the property need immediate attention?** (Check all that apply.)☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard?

☐ It needs to be physically secured or protected from the weather.☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).☐ Other**Where is the property?**

Number, Street, City, State & ZIP Code

Is the property insured?☐ No☐ Yes. Insurance agency

Contact name

Phone

Statistical and administrative information**13. Debtor's estimation of available funds**

Check one:

- ☒ Funds will be available for distribution to unsecured creditors.
- ☐ After any administrative expenses are paid, no funds will be available to unsecured creditors.

14. Estimated number of creditors☒ 1-49☐ 50-99☐ 100-199☐ 200-999☐ 1,000-5,000☐ 5001-10,000☐ 10,001-25,000☐ 25,001-50,000☐ 50,001-100,000☐ More than 100,000**15. Estimated Assets**☐ \$0 - \$50,000☐ \$50,001 - \$100,000☐ \$100,001 - \$500,000☐ \$500,001 - \$1 million☒ \$1,000,001 - \$10 million☐ \$10,000,001 - \$50 million☐ \$50,000,001 - \$100 million☐ \$100,000,001 - \$500 million☐ \$500,000,001 - \$1 billion☐ \$1,000,000,001 - \$10 billion☐ \$10,000,000,001 - \$50 billion☐ More than \$50 billion**16. Estimated liabilities**☐ \$0 - \$50,000☐ \$50,001 - \$100,000☐ \$100,001 - \$500,000☐ \$500,001 - \$1 million☒ \$1,000,001 - \$10 million☐ \$10,000,001 - \$50 million☐ \$50,000,001 - \$100 million☐ \$100,000,001 - \$500 million☐ \$500,000,001 - \$1 billion☐ \$1,000,000,001 - \$10 billion☐ \$10,000,000,001 - \$50 billion☐ More than \$50 billion

Debtor **Porcier-Miller LLC (VA SCC # S5786860)**
Name

Case number (if known)

Request for Relief, Declaration, and Signatures

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

**17. Declaration and signature
of authorized
representative of debtor**

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on **July 28, 2020**
MM / DD / YYYY**X /s/ Brian Miller**

Signature of authorized representative of debtor

Brian Miller

Printed name

Title **Member-Manager****18. Signature of attorney****X /s/ Christopher S. Moffitt**

Signature of attorney for debtor

Date **July 28, 2020**

MM / DD / YYYY

Christopher S. Moffitt 18195

Printed name

Law Offices of Christopher S. Moffitt

Firm name

**218 North Lee Street, 3rd Floor
Alexandria, VA 22314**

Number, Street, City, State & ZIP Code

Contact phone **703-683-0075**Email address **moffittlawoffices@gmail.com****18195 VA**

Bar number and State

Fill in this information to identify the case:

Debtor name **Porcier-Miller LLC (VA SCC # S5786860)**
 United States Bankruptcy Court for the: **EASTERN DISTRICT OF VIRGINIA**
 Case number (if known): _____

☐ Check if this is an
 amended filing

Official Form 204**Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders****12/15**

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an insider, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
Jason Merica 9804 Greenbrier Lane Walkersville, MD 21793						\$25,000.00
Kathy Gabriel 759 Dividing Creek Rd Annapolis, MD 21401						\$70,000.00
Kim Nguyen 8756 Brook Rd Mc Lean, VA 22102						\$50,000.00
Scott Schrader 5250 Queens Wood Dr Burke, VA 22015						\$12,500.00

DP Capital LLC,
7115 Leesburg Pike Ste 215
Falls Church, VA 22043

Jason Merica
9804 Greenbrier Lane
Walkersville, MD 21793

Kathy Gabriel
759 Dividing Creek Rd
Annapolis, MD 21401

Kim Nguyen
3305 22nd street
Arlington, VA 22201

Kim Nguyen
8756 Brook Rd
Mc Lean, VA 22102

Myung Lee
8756 Brook Rd
Mc Lean, VA 22102

Scott Schrader
5250 Queens Wood Dr
Burke, VA 22015

Washington Capital Partners
7115 Leesburg Pike Ste 215
Falls Church, VA 22043

WCP Fund I LLC
7115 Leesburg Pike Ste 215
Falls Church, VA 22043

**United States Bankruptcy Court
Eastern District of Virginia**

In re **Porcier-Miller LLC (VA SCC # S5786860)**

Debtor(s)

Case No.

Chapter

11

CORPORATE OWNERSHIP STATEMENT (RULE 7007.1)

Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned counsel for **Porcier-Miller LLC (VA SCC # S5786860)** in the above captioned action, certifies that the following is a (are) corporation(s), other than the debtor or a governmental unit, that directly or indirectly own(s) 10% or more of any class of the corporation's(s') equity interests, or states that there are no entities to report under FRBP 7007.1:

☒ None [*Check if applicable*]

July 28, 2020

Date

/s/ Christopher S. Moffitt

Christopher S. Moffitt 18195

Signature of Attorney or Litigant

Counsel for **Porcier-Miller LLC (VA SCC # S5786860)**

Law Offices of Christopher S. Moffitt

218 North Lee Street, 3rd Floor

Alexandria, VA 22314

703-683-0075 Fax: 703-997-8430

moffittlawoffices@gmail.com

In The United States Bankruptcy Court
For The Eastern District of Virginia
Alexandria Division

In		Case	
re	<u>Porcier-Miller LLC</u>	No.	
	Debtor(s)	CH	<u>11</u>

**STATEMENT REGARDING AUTHORITY TO SIGN AND FILE
PETITION**

I, Brian Miller, declare under penalty of perjury that I am a Member-Manager of Porcier-Miller, LLC, (VA SCC # S5786860) and that the attached document is a true and correct copy of the Record of Action in Lieu of a Meeting of the Members of the Company effective July 27, 2020

Date 7/28/2020

Signed /s/Brian Miller
Brian Miller

RECORD OF ACTION IN LIEU OF A SPECIAL
MEETING OF THE MEMBERS OF PORCIER-MILLER, LLC

Jason Porcier and Brian Miller being all of the Members¹ of Porcier Miller LLC (VA SCC # S5786860) (the “Company”), hereby consent to the following actions in lieu of a special meeting of the Members:

The Members of the Company deem it in the best interest of the Company to file a voluntary petition in the United States Bankruptcy Court pursuant to Chapter **11** of Title 11 of the United States Code;

Therefore, be it

Resolved, that Brian Miller, Member-Manager of this Company, is authorized and directed to execute and deliver all documents necessary to perfect the filing of a chapter **11** voluntary bankruptcy case on behalf of the corporation; and it is

Further Resolved, that Brian Miller, Member-Manager of this Company is authorized and directed to appear in all bankruptcy proceedings on behalf of the Company, and to otherwise do and perform all acts and deeds and to execute and deliver all necessary documents on behalf of the Company in connection with such bankruptcy case, and it is

¹ Subject to the determination of the status of two lenders

Further Resolved, that Brian Miller, Member-Manager of this Corporation is authorized and directed to employ Christopher S. Moffitt attorney and the law firm of Law Offices of Christopher S. Moffitt to represent the corporation in such bankruptcy case.

The foregoing recorded action was taken by the Members of the Company effective July 27, 2020.

DATE: 7/28/2020

/s/Jason Porcier
Jason Porcier
Member-Manager

DATE: 7/28/2020

/s/Brian Miller
Brian Miller
Member-Manager